

## REMARKS

The Examiner rejected claims 1-14 under 35 U.S.C. § 103(e) as being anticipated by Evans. Claim 1 includes the following language which is clearly lacking in the Evans reference:

"a near-field phase grating that phase modulates the polarization wave to couple a power from the polarization wave to an electromagnetic wave that propagates at the third optical frequency."

Evans does not disclose a grating that phase modulates a polarization wave to couple power from a polarization wave to an electromagnetic wave. The Examiner has directed the Applicant to Figures 1, 2 or 14 for his support of the position that Evans discloses this limitation. None of these figures disclose a concept of utilizing a phase grating to modulate power from a polarization wave to an electromagnetic wave at a third optical frequency. Likewise, the text discussing these figures does not disclose this concept. For a reference to be anticipatory, it must disclose every limitation recited in the claims. Evans does not disclose a phase grating that phase modulates power from a polarization wave to an electromagnetic wave at a third optical frequency. For this reason, the Applicant submits that Evans does not anticipate claims 1-14.

The Examiner rejected claims 1, 3, 6, 8, 11 and 13 under 35 U.S.C. § 102(b) as being anticipated by Uchida. The claims require two different gain elements that generate light beams having different optical frequencies. Figure 16 of Uchida, cited by the Examiner, merely discloses two different gain elements. This does not necessarily mean that each gain element will produce light at a different optical frequency. In fact, the accompanying text discusses the generation of light at a single frequency located at the peak gain of the device.

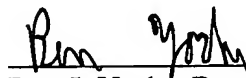
Additionally, Uchida does not disclose a phase grating that phase modulates power from a polarization wave to an electromagnetic wave at a third optical frequency. Although Uchida discloses a phase shift grating, it does not state that this grating is constructed such to couple power from a polarization wave to an electromagnetic wave at a third mixed frequency.

Uchida does not disclose first and second optical gain elements that generate light beams having different optical frequencies. Additionally, Uchida does not disclose a phase grating that modulates power from a polarization wave to an electromagnetic wave at a third optical frequency. Because Uchida does not disclose all of the limitations in the claims recited in the claims, the Applicant submits that this reference does not anticipate claims 1, 3, 6, 8, 11 and 13.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections is requested. Allowance of claims 1-14 at an early date is solicited.

Respectfully submitted,  
IRELL & MANELLA LLP

Dated: October 13, 2006

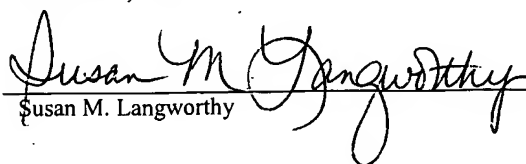


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Susan M. Langworthy

Oct 13, 2006  
Date